

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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JOHN PADBERG, et al.,

Plaintiffs,

- against -

DIANE McGRATH-McKECHNIE, et al.,

Defendants.
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Gold, S., *United States Magistrate Judge*:

**MEMORANDUM
AND ORDER
CV-00-3355 (RJD)**

By Memorandum and Order (“M&O”) dated August 9, 2007, Docket Entry 380, I denied plaintiffs’ letter motion dated July 25, 2007, docket entry 377. That motion sought an order directing defendants to disclose to plaintiffs’ counsel the social security account numbers of class members who have not submitted claim forms pursuant to the Stipulation of Settlement filed in this case on August 1, 2006. *See* Docket Entry 311.

By letter dated August 20, 2007, docket entry 381, plaintiffs move for reconsideration. In support of their motion, plaintiffs refer to the following paragraph of the M&O:

Second, social security records are highly confidential, and any order requiring their disclosure would ordinarily limit access to a small number of clearly identified number of persons. Here, however, an “attorney’s eyes only” limitation would not be practical; to be useful, the social security numbers would have to be disclosed to investigators seeking to locate those class members who have not submitted a claim.

M&O at 3. Plaintiffs now state in support of their motion for reconsideration that access to the social security numbers at issue on an “attorney’s eyes only” basis would in fact be acceptable and useful to plaintiffs.

As the M&O makes clear, my assumption that plaintiffs’ counsel would share any social

security numbers disclosed to them with their investigators was only one of several reasons for denying plaintiffs' motion. Moreover, as defendants point out, plaintiffs state in their motion for reconsideration that their plan is to enter any social security numbers disclosed into a database maintained by a web-based service provider, which then looks for other identifying information connected to the social security numbers submitted. This procedure raises its own risks of broader disclosure.

For all these reasons, plaintiffs' motion for reconsideration is denied.

SO ORDERED.

/s/
STEVEN M. GOLD
United States Magistrate Judge

Brooklyn, New York
September 10, 2007

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